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6 Attorneys for Defendant  
SONY COMPUTER ENTERTAINMENT AMERICA LLC

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

12 HENRY GARCIA, On Behalf of Himself,  
13 All Others Similarly Situated and the  
14 General Public,

15 Plaintiff,

16 v.

17 SONY COMPUTER  
ENTERTAINMENT AMERICA LLC,

18 Defendant.

CASE NO. CV-11-2246 RS

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING DEADLINE TO  
RESPOND TO COMPLAINT AND  
SCHEDULING BRIEFING AND HEARING  
FOR MOTION TO DISMISS AND  
MOTION TO STAY DISCOVERY**

Judge: Hon. Richard Seeborg  
Dept: Courtroom 3

Counsel for defendant Sony Computer Entertainment America LLC (“SCEA”) and plaintiff Henry Garcia have conferred regarding SCEA’s intention to file a motion to dismiss and motion to stay discovery in response to the Complaint. Based in part on SCEA’s counsel’s absence due to vacation plans, Mr. Garcia’s counsel have agreed to extend SCEA’s deadline to respond to the Complaint, which is otherwise May 31, 2011. To increase efficiencies, the parties have also agreed to request that the Court consolidate the hearing regarding SCEA’s motions to dismiss and stay discovery with the Case Management Conference scheduled on August 25, 2011.

Further, the parties have agreed to hold a Fed. R. Civ. P. 26 conference on June 29, 2011.

Based on the foregoing and pursuant to Local Rule 6-1 of the Northern District of California, the parties, by and through their attorneys of record, hereby stipulate and agree to extend SCEA’s deadline to respond to the Complaint and schedule the briefing and hearing of SCEA’s motions to dismiss and stay discovery as follows:

1. July 7, 2011 – SCEA’s last day to file its motion to dismiss and motion to stay discovery.
2. July 28, 2011 – Plaintiff’s last day to file his opposition to SCEA’s motion to dismiss and motion to stay discovery.
3. August 11, 2011 – SCEA’s last day to file reply briefs in support of its motion to dismiss and motion to stay discovery
4. August 25, 2011, 1:30 P.M. – Hearing regarding SCEA’s motion to dismiss and motion to stay discovery. The Case Management Conference scheduled on August 25, 2011 at 10:00 A.M. will be continued to August 25, 2011 at 1:30 P.M., to take place with the hearing.

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1 The parties have not previously requested a modification of these dates or deadlines.  
2 Dated: May 31, 2011

3 BLOOD HURST & O'REARDON, LLP

4 CASEY GERRY SCHENK FRANCAVILLA  
5 BLATT & PENFIELD, LLP

6 DAVID LIZERBRAM & ASSOCIATES

7 By: /s/ Timothy Blood  
8 Timothy G. Blood  
9 *Counsel for Plaintiff Henry Garcia*

10 Dated: May 31, 2011

11 DLA PIPER LLP (US)

12 By: /s/ Carter Ott  
13 LUANNE SACKS  
14 CARTER OTT  
15 *Counsel for Defendant Sony Computer*  
16 *Entertainment America LLC*

17 I, Carter Ott, am the ECF user whose identification and password are being used to file the  
18 foregoing Stipulation And [Proposed] Order Continuing Deadline To Respond To Complaint And  
19 Scheduling Briefing And Hearing For Motion To Dismiss And Motion To Stay Discovery. I  
20 hereby attest that the above-referenced signatory to this stipulation has concurred in this filing.

21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED:

23 1. SCEA shall file its motion to dismiss and motion to stay discovery on or before  
24 July 7, 2011.

25 2. Plaintiff shall file his opposition to SCEA's motion to dismiss and motion to stay  
26 discovery on or before July 28, 2011.

27 3 SCEA shall file any reply briefs in support of its motion to dismiss and motion to  
28 stay discovery on or before August 11, 2011.

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1           4.       The hearing regarding SCEA's motion to dismiss and motion to stay discovery  
2 shall be on August 25, 2011, at 1:30 P.M.

3           5.       The Case Management Conference scheduled on August 25, 2011 at 10:00 A.M. is  
4 continued to August 25, 2011 at 1:30 P.M.

5  
6 Dated:   6/1  , 2011

7 By: 

Honorable Richard Seeborg  
United States District Court Judge